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THE MADRAS LEGISLATIVE COUNCIL

Wednesday, the 17th September 1958.

The House met in the Council Chamber, Fort St. George, at three of the clock, Mr. Chairman (THE HON. DR. P. V. CHERIAN) in the Chair.

I.—QUESTIONS AND ANSWERS.

STARRED QUESTIONS.

"Hindu" Strike.

* 20-A *Short Notice Question.*—SRI K. BALASUBRAMANYA AYYAR: Will the Hon. the Minister for Home be pleased to state the steps taken by the Government to preserve law and order during the strike organized in respect of the "Hindu" Office during the period from 31st July to 5th August 1958, and to protect the elementary rights of the workers who attended the office and to maintain peaceful picketinv by the strikers?

THE HON. SRI M. BHAKTAVATSALAM: A statement[a] is laid on the table of the House.

SRI K. BALASUBRAMANYA AYYAR: May I know what action was taken by the Government on a petition to the Commissioner of Police, dated the 4th August 1958, from 274 employees who wanted to attend the office and wanted protection for them?

THE HON. SRI M. BHAKTAVATSALAM: I could tell the hon. Member that whatever petition was received by the officers of the Police, they did take necessary action on that. But if the hon. Member refers to a specific kind of protection which was not available for certain employees, I would like to know what exactly he means by his reference to this request by the employees.

SRI K. BALASUBRAMANYA AYYAR: Just as they would allow peaceful picketing and see that nothing untoward happens so far as peaceful picketing is concerned, similarly will the workers who attend the office, because they want to attend the office, also receive the same kind of protection for their continuing to discharge their duties peacefully?

THE HON. SRI M. BHAKTAVATSALAM: I hope the hon. Member has gone through these papers. They would show that the Police did not fail to take action whenever action was needed to be taken by way of protection to those who needed protection.

SRI K. BALASUBRAMANYA AYYAR: According to the statement, on the 30th July the strikers behaved in an unruly manner and a lathi charge was ordered. Therefore, I would like

[a] Printed as Appendix on pages 348–350 infra.

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to know what steps the Government took after the 30th July to see that peaceful picketing was ensured, and at any rate, to get an assurance from the ringleaders that the picketing would be peaceful.

THE HON. SRI M. BHAKTAVATSALAM : The Police do not get assurances from those who are responsible for committing acts of violence. Even as the hon. Member has pointed out that a lathi charge was resorted to on the 30th July in order to prevent acts of violence, similar action was taken on other occasions also; though not exactly a lathi charge, the Police did take all action that could be taken by way of affording protection to those who needed it. The hon. Member referred to some petition. It was dated 4th August 1958 and it was mentioned on pages 12 to 14 of the booklet, praying for individual protection for the workers. It was forwarded to the Commissioner along with a covering letter of the Manager, dated the the 6th August 1958, i.e., after the closure of the Press and the evacuation of the loyal workers. Consequently, the question of providing elementary protection with reference to this matter did not arise.

SRI K. BALASUBRAMANYA AYYAR : On the 6th August 1958?

THE HON. SRI M. BHAKTAVATSALAM : Yes.

DR. A. LAKSHMANASWAMI MUDALIAR : Are the Government still of the opinion which was expressed by them in 1946 as to the definition of, or what is meant by, violent picketing?

THE HON. SRI M. BHAKTAVATSALAM : Exactly so, Sir.

SRI A. M. ALLAPICHAI : Are the Government aware that there was an agreement between the workers and the management on the 10th August?

THE HON. SRI M. BHAKTAVATSALAM : Yes, Sir.

SRI A. M. ALLAPICHAI : Do the Government feel that there is now some peaceful atmosphere prevailing and that any question here, instead of adding to the peaceful atmosphere, is likely to add to the trouble?

THE HON. SRI M. BHAKTAVATSALAM : It is a matter of opinion.

DR. A. LAKSHMANASWAMI MUDALIAR : Apart from any desire to reopen the question which, fortunately, has been happily settled, I believe, may I know if the Government still stick to the view that it must be distinctly understood that lying across the road, use of abusive language, slogans or gestures which result in or are intended for the intimidation of the employers and the

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offer of physical obstruction to such of the workers as do not desire to participate in the strike will not constitute peaceful and non-violent picketing?

THE HON. SRI M. BHAKTAVATSALAM: Exactly so. The Government do accept this attitude as even the present attitude of the Government.

DR. A. LAKSHMANASWAMI MUDALIAR: What is the view of the Government in regard to the leaders of the strike movement when such unfortunate things happen?

THE HON. SRI M. BHAKTAVATSALAM: What action the Government would take in such circumstances would depend on the exigencies of the situation and the exact circumstances that prevail.

SRI A. M. ALLAPICHAI: I think there are some cases pending against some of the strikers now. I think some cases are being investigated and some cases, I am told, are pending also.

THE HON. SRI M. BHAKTAVATSALAM: I do not know. Perhaps it is so. Investigation was made. There were some complaints. The Police took up all these cases which were taken to their notice and they were taking necessary action.

SRI K. BALASUBRAMANYA AYYAR: May I know whether The Hindu and National Press Employees' Union is affiliated to the Labour Wing of the Tamil Nad Congress Committee?

THE HON. SRI M. BHAKTAVATSALAM: I have no information. That question may perhaps be put to my Hon. Colleague, the Minister for Labour.

SRI K. BALASUBRAMANYA AYYAR: May I draw the attention of the Government to a statement made yesterday—it is reported in 'The Hindu' and I took the information—and may I know whether it is a fact that Sri G. Ramanujam, the President of the Indian National Trade Union Congress, has stated that it is not a desirable practice to attach one section of the Union to a particular Pradesh Congress Committee? (Interruption.) I want to know whether it is a fact. That was why I asked whether it was affiliated to the Labour Wing of the Tamil Nad Congress Committee.

THE HON. SRI M. BHAKTAVATSALAM: The Government have not taken notice of what one Mr. Ramanujam has stated.

SRI K. BALASUBRAMANYA AYYAR: I want to know whether it is a fact that The Hindu and National Press Employees' Union is affiliated to the Labour Wing of the Tamil Nad Congress Committee.

THE HON. SRI C. SUBRAMANIAM: It has already been answered.

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SRI MOHAMED RAZA KHAN : In the statement laid on the table of the House, it is stated that on the 4th August the Government sent the Commissioner of Police to the Editor's office just to give him protection but that he asked the Commissioner of Police to address the loyal workers because their morale was breaking down. But the Editor has given another statement wherein he has stated that he had already decided to close down the publication of the paper from the next day and that he did not ask such a thing of the Police Commissioner. Which version is true? Which version are the public to take as correct?

THE HON. SRI M. BHAKTAVATSALAM : I had a talk with the Commissioner of Police only day before yesterday about this matter. I may give out what happened, according to the report of the Commissioner. This statement was based on the report of the Commissioner. I do believe it. It is for the other hon. Members to believe it or not. At about 8-30 p.m. on the 4th August, the management of 'The Hindu' sent word to the Police that they wanted Police escort to enable the proprietor and Editor to leave the office and go home. Then, the Inspector of Police was asked to provide the necessary escort by offering himself as an escort. The Commissioner had ordered it and he had known it.

Again at 9-30 p.m., the Commissioner was informed that the Editor was waiting to go out, that he could not go out and that he had no escort. Again, the Commissioner of Police from his office rang up the Inspector of Police, who was on duty, and asked him whether he had not offered the necessary escort. The Commissioner was told by the Inspector that the Inspector had placed the necessary escort at the disposal of the Editor and that it was there. Then, he told those on behalf of the management who phoned to the Commissioner that this was the position and that the escort was already there.

Then, Sir, at about 11-30 p.m., the Chief Minister rang up the Commissioner of Police and told him that it appeared that Mr. K. Srinivasan could not leave the office for want of escort and that he wanted the Commissioner himself to go there. Therefore, on receipt of this communication from the Chief Minister himself, the Commissioner ran up to 'The Hindu' office and met Mr. K. Srinivasan. He said, 'I am ready. I am prepared to go with you and offer the necessary escort.' But the Editor said, 'I am not going now. But these workers who are here are afraid of violence outside. They are afraid of working lest they should be subjected to violence. Therefore, I would assemble them and you should speak to them that you are there to give them necessary protection.' Then, the Commissioner said that it was not his job to speak to the workers.

Then, Mr. K. Srinivasan told the Commissioner that he would assemble the leaders of the workers and that he might speak to them. The leaders were sent for and they were there in the presence of Mr. K. Srinivasan and certain of his colleagues and the Commissioner of Police. Then, again, Mr. K. Srinivasan

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wanted the Commissioner to speak to those people. The Commissioner again declined to speak to them. The Commissioner said, 'you might give the necessary assurance to these workers and the leaders. It is not for me to speak to them at all.' Then, these leaders were told that the Commissioner had come there and that he would give them the necessary protection.

Then, it was announced that the newspaper had suspended publication. This was what happened. The inference of the Commissioner of Police was that he was sent for and the Chief Minister was informed that the Commissioner should go there, not for the purpose of providing escort for Mr. K. Srinivasan, but for the purpose of giving an assurance to the workers by his own contact which he interpreted as just the Commissioner playing his own part in raising the morale of the workers which was on the decline.

DR. A. SREENIVASAN : Sir, as it is quite obvious to every- 3–10
body that there was obstruction by all means to lawful workers p.m.
working, what action did the Government take against those people who offered obstruction to people who wanted to work?

THE HON. SRI M. BHAKTAVATSALAM : Sir, for those workers who were working inside, there could not be any obstruction. For those people who had to come in and get out—I suppose the hon. Member refers to obstruction that was caused to these people—whenever such obstruction was caused, the Police were there and they dispersed the people who caused obstruction. They were not simply looking on. They were actively engaged in avoiding this obstruction.

DR. A. SREENIVASAN : Sir, is it not a fact that a Police officer was transferred simply because he took action against some of these workers who became violent?

THE HON. SRI M. BHAKTAVATSALAM : That is absolutely incorrect, Sir.

SRI M. PATANJALI SASTRY : Sir, on page 2 of the statement, the Hon. Minister says "On the 1st August 1958, there was peaceful picketing". Then it is followed by this statement : 'Slogans were shouted'. Were the slogans of the usual type with the obnoxious 'ஒழிக' or 'perish'?

THE HON. SRI M. BHAKTAVATSALAM : Sir, picketing was one thing. The picketing must have been peaceful. But there was a crowd outside the picketing group and those people were shouting all kinds of slogans.

SRI M. PATANJALI SASTRY : When people shouted such offensive slogans, was it consistent with peaceful picketing in the opinion of the Government?

THE HON. SRI M. BHAKTAVATSALAM : Sir, I have already stated that certain workers were picketing. There was also a crowd that was causing obstruction or shouting menacing slogans. It is

not that the Police would permit such a crowd to behave in that way. The Police, I may repeat, did take whatever action they could in the circumstances of the situation, to meet the situation.

SRI M. PATANJALI SASTRY : Sir, was it not the duty of the Police in such circumstances to disperse the crowd who were shouting such menacing slogans and had gathered in such large numbers?

THE HON. SRI M. BHAKTAVATSALAM : Sir, we cannot lay down a prescribed procedure in the matter of dispersing crowds. It depends on the circumstances and the situation and then the question arises how a crowd should be dispersed; even if they have to disperse a crowd what are the ways that should be adopted to disperse the crowd is for the Police on the spot to decide taking into account the circumstances and the situation in the matter.

SRI M. PATANJALI SASTRY : Was any dispersal attempted at all irrespective of the means and methods of dispersal?

THE HON. SRI M. BHAKTAVATSALAM : So far as the 4th is concerned. . .

SRI M. PATANJALI SASTRY : I am referring to the 1st.

THE HON. SRI M. BHAKTAVATSALAM : The Police were all anxious that they should not use any force in dispersing the crowd.

SRI A. M. ALLAPICHAI : Sir, are the Government aware that the workers have alleged that the Government did not give them the protection which they ought to have given to peaceful workers?

THE HON. SRI M. BHAKTAVATSALAM : Of course, that is the other side of the question.

SRI V. V. RAMASWAMI : ஜூலை மாதம் 30-ந் தேதி இரவு கலவரம் நடந்து போலீஸ் படை இரவு 9½ மணிக்கு அனுப்பப்பட்டிருக்கிறது. இரவு 11¼ மணிக்கு மறுபடியும் கலகம் நடந்து மோட்டார்களுக்குச் சேதம் விளைவிக்கப்பட்டிருக்கிறது. நாலாந் தேதி இரவும் போலீசு அங்கே இருந்திருக்கிறார்கள். இப்படிப் போலீஸ்காரர்கள் அங்கே இருந்துகொண்டேயிருக்கும்போது, எப்படி இந்தக் கலவரம் நடைபெறுவதற்கு இடம் அளிக்கப்பட்டிருக்கிறது ? போலீஸ்காரர்களால் இந்தக் கலவரம் ஏற்படாதபடி தடுக்க முடியவில்லையா ? தடுக்க முயற்சிக்கவில்லையா ?

THE HON. SRI M. BHAKTAVATSALAM : கனம் அங்கத்தினர் 4-ந் தேதி சம்பவத்தைக் குறிப்பிடுகிறார் என்று நினைக்கிறேன், அன்றைக்கு சிம்சன் கம்பெனி தொழிலாளர்களும் வந்து சேர்ந்துகொண்டு விட்டார்கள். கூட்டம் பெருகிவிட்டது. கூட்டத்தைக் கலைக்க வேண்டுமென்றால், பலாத்காரத்தைப் பிரயோகிக்கும்படியாக நேரிட்டு விடுமோ என்கிற பயம் இருந்தது. பலாத்காரத்தைப் பிரயோகிக்காத வகையில் கலவரம் ஏற்படாதவாறு செய்ய போலீஸ்காரர்கள் எல்லாவிதமான நடவடிக்கைகளையும் எடுத்துக்கொண்டிருக்கிறார்கள்.

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SRI M. PATANJALI SASTRY : I am passing on to the 3rd August. The statement says : 'The picketing was peaceful'. Then it goes on to say : 'Attempts by strikers to obstruct vehicles entering or leaving the office were prevented by the Police'. Are these part of peaceful picketing?

THE HON. SRI M. BHAKTAVATSALAM : Sir, I might tell the hon. Member once again that certain wokrers were picketing. There were others who were crowding a round and causing all kinds of obstruction and using force. One must make a distinction between those who were actually picketing on the spot and others, even if they were strikers or workers, who were creating other kinds of disturbance.

SRI T. P. SRINIVASAVARADAN : Sir, are the Government aware that from the very start of the strike, abusive language was used against the management? If that is so, is it not against the policy laid down in 1946?

THE HON. SRI M. BHAKTAVATSALAM : Sir, that is invariably so with reference to any strike, with reference to any management or workers. But again I may say that if the picketers misbehaved, it ceased to be lawful picketing and it is for the authorities to take action. If certain others who were witnessing the picketing misbehaved, that is a different thing.

DR. A. SREENIVASAN : Sir, what action did the Government take against those extraneous men who joined the strikers who were supposed to be indulging in peaceful picketing? 3-20 p.m.

THE HON. SRI M. BHAKTAVATSALAM : Short of using force in dealing with them, the Police took all other action.

DR. A. SREENIVASAN : When outsiders interfere with strikes like this, do they not deserve force to be used against them?

THE HON. SRI M. BHAKTAVATSALAM : It is not a question of 'deserving'. It is a question of study of the exigencies of the situation, whether, in case the Police resorted to force, when a big crowd had collected, it would not lead ultimately to other things like firing which the Police and all of us were anxious to avoid at all costs.

SRI MOHAMED RAZA KHAN : Sir, from the statement placed on the table of the House and also from the booklet supplied by the management of 'The Hindu', we find that the Hon. the Minister for Labour intervened and brought about some sort of a compromise formula. What were the reasons for which that formula was not accepted?

THE HON. SRI M. BHAKTAVATSALAM : I can straightway tell the hon. Member that the management was not willing to accept the compromise or the suggestions that were put forth by the Hon. the Minister for Labour.

SRI MOHAMED RAZA KHAN : Was any attempt made by the Home Minister to see that some sort of a compromise, on the basis of the formula, was accepted, which would have avoided the unfortunate incidents?

THE HON. SRI M. BHAKTAVATSALAM : So far as the Home Minister is concerned, luckily or unluckily he was not in Madras till 'The Hindu' announced suspension of its publication.

VIDWAN T. MUTHUKANNAPPAN : ஆகஸ்டு 28-ந் தேதி ஹிந்து முதல்வர் 30 ரௌடிகளைத் தம் அலுவலத்தில் வைத்துக் கொண்டு தொழிலாளர்களைப் பழி வாங்க உத்தேசித்ததன் காரணமாகத் தான் இந்த வேலை நிறுத்தம் ஏற்பட்டது என்பது அமைச்சருக்குத் தெரியுமா? அதுதான் எல்லாவிதமான கிளர்ச்சிகளுக்கும் மூலகாரணம் என்பதை அமைச்சர் அறிவாரா?

THE HON. SRI M. BHAKTAVATSALAM : அதைப்பற்றி என்னிடம் தகவல் இல்லை.

SRI K. M. RAMASAMY GOUNDER : Sir, the whole trouble has arisen because of the existence of two rival workers' unions in one and the same institution. Will the Government take some steps to see that such rival organizations do not thrive under one and the same management?

THE HON. SRI M. BHAKTAVATSALAM : This is a larger question, and my esteemed Colleague the Hon. the Minister for Labour has been considering what he should do to avoid this kind of rivalry among unions..

SRI M. PATANJALI SASTRY : Sir, I am sorry I have to pursue the matter. The statement of the Hon. the Home Minister placed on the table of the House is vague in some respects and ambiguous in others. The statement says, "Sri Parthasarathy, Assistant Editor, preferred a complaint at 3-30 p.m. at Triplicane Police station that he was prevented by the crowd from entering 'The Hindu' office at about 1-25 p.m." The statement placed on the table of the Assembly says, 'It is not clear why he did not seek the help of the Police who were on duty at The Hindu office'. This bit is omitted in the statement placed on the table of this House. Is the reason now clear to the Government?. Does it mean that the omission is due to the fact that the reason is now clear to the Government?

THE HON. SRI M. BHAKTAVATSALAM : It is not so. Once a statement was made in the other House, I do not think, Sir, you expect or you would rule or hon. Members of this House would expect that exact copies of the statement made in the other House should be laid on the table of this House. It does not mean necessarily that the position has changed. I can tell the hon. Member that even now I am unable to understand why that gentleman did not immediately contact the Police on the spot and complain to them.

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SRI M. PATANJALI SASTRY : Would it not be because Sri Narasimhan was unable to get protection from the Police on the spot that this gentleman had to resort to the Triplicane Police station?

THE HON. SRI M. BHAKTAVATSALAM : I can tell the hon. Member, eminent jurist that he is, that we do not deduce by mere inferences like this. It is for Sri Narasimhan or the person concerned to say why he could not do it.

SRI T. P. SRINIVASAVARADAN : Sir, do the Government realise that these strikes are caused by outsiders being office-bearers of the labour unions? Will the Government see that outsiders are not office-bearers of the labour unions?

THE HON. SRI M. BHAKTAVATSALAM : This again is a general question which cannot be easily answered by way of answer to a supplementary question.

SRI T. PURUSHOTHAM : Sir, may I know, apart from the question of management and labour, and in view of the state of things prevailing on the 4th August and on the previous days, what preventive steps the Police had taken to safeguard private properties in transit on the public road for keeping off unruly elements?

THE HON. SRI M. BHAKTAVATSALAM : The statement laid on the table would amply show that the Police did take all precautionary steps and did afford protection to those who needed it as against those who were out to commit acts of violence.

SRI T. PURUSHOTHAM : Sir, are we not to judge by the actual results and the occurrences that happened? Will the Government tell us what exactly were the preventive measures that were adopted?

THE HON. SRI M. BHAKTAVATSALAM : If certain thefts are committed and even if robbery is committed, it does not mean that the Police do not exist or that the Police do not function in the City.

SRI M. PATANJALI SASTRY : In the same context the statement says that Sri Parthasarathy complained that he was prevented by the crowd from entering 'The Hindu' office at 1-25 p.m. and that the Police tried to trace the miscreants, but did not succeed. Did the complaint specify any particular individuals as having obstructed him? If not, who were the miscreants?

THE HON. SRI M. BHAKTAVATSALAM : I have no exact information about it. I do not believe that Sri Parthasarathy was able to give specific names of the miscreants.

SRI M. PATANJALI SASTRY : The statement says that he merely complained that he was prevented by the crowd. I presume that the crowd was there.

THE HON. SRI M. BHAKTAVATSALAM : I have no doubt that the hon. Member realises that when there is merely a complaint against certain members of the crowd, it is very difficult for the Police to trace the exact culprits and miscreants.